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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Hideki Kasamatsu

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EXAMINER

HICKS, CHARLES N

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

03/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/504,823

Applicant(s)

KASAMATSU ET AL.

Examiner

CHARLES N. HICKS

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date ____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/22/2008 have been fully considered but they are not persuasive. We understand Miura uses the term terminal, but a reasonable interpretation of TV is a display connected to a reception device. There is no requirement for all of the elements of the TV to be contained in the same box. Nor is unreasonable to consider two elements (receiver and display) that perform the exact function of a tv a television. Moreover, the definition of television is the projection of images on a screen that have been received via radio waves. No requirement is made in the definition for all of the elements of the television to be contained in the same box. The current claims are too broad and must be amended to advance prosecution.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Miura (US Patent No. 6,996,837 B1), hereinafter referred to as Miura.

3. Regarding claim 1, Miura discloses a television system comprising a main television set and a sub-television set, characterized in that the main television set comprises a plurality of tuners (**fig. 1, col. 5, lines 10-39** *master terminal plus first display 3*); a selection circuit for selecting, out of receiving signals received by the plurality of tuners, the receiving signal for broadcasting on the main television set as well as selecting the receiving signal for broadcasting on the sub-television set (**fig. 1-2, col. 6, lines 1-30**); a first signal processing circuit for processing the receiving signal for broadcasting on the main television set selected by the selection circuit, to generate a video signal and an audio signal for broadcasting on the main television set (**fig. 1-2, col. 5, lines 40-55**); a first wireless transmission unit for wireless transmitting to the sub television set the receiving signal for broadcasting on the sub-television set selected by the selection circuit (**fig. 1-2, col. 6, lines 55-68**); and first control means for controlling the plurality of tuners, the selection circuit, and the first wireless transmission unit (**fig. 1-2, col. 6, lines 1-13**); and the sub-television set comprises a second wireless transmission unit for receiving the receiving signal for broadcasting on the sub-television set transmitted from the first wireless transmission unit in the main television set (**fig. 1-3, col. 7, lines 10-20**); a second signal processing circuit for processing the receiving signal for broadcasting on the sub-television set received by the second wireless transmission unit, to generate a video signal and an audio signal for broadcasting on the sub-television set (**fig. 1-3, col. 7, lines 10-20**); and a second control unit for controlling the second wireless transmission unit (**fig. 1-3, col. 7, lines 20-28**).

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4. Regarding claim 2, Miura discloses a television system characterized in that the first wireless transmission unit and the second wireless transmission unit can bidirectionally communicate various types of commands to each other (**fig. 1-3, col. 7, lines 10-28**).
5. Regarding claim 3, Miura discloses a television system characterized in that each of the tuners is a digital tuner for receiving a digital broadcasting, a digital AV stream outputted from each of the digital tuners is inputted to the selection circuit (**fig. 2, col. 5, lines 40-55, col. 8, lines 12-23**); and the first signal processing circuit comprises a decoder for decoding the receiving signal for broadcasting on the main television set selected by the selection circuit (**fig. 2, col. 5, lines 40-55**).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miura in view of Calderone (US Patent No. 6,588,017 B1), hereinafter referred to as Calderone.

9. Regarding claim 4, Miura discloses a television system characterized in that a digital AV stream outputted from each of the digital tuners inputted to the selection circuit (**fig. 1-2, col. 6, lines 1-34**); the first signal processing circuit comprising a decoder for decoding the receiving signal for broadcasting on the main television set selected by the selection circuit (**fig. 1-2, col. 5, lines 40-65**). However Miura fails to disclose the plurality of tuners and the converted analog signals. Calderone discloses the plurality of tuners comprising digital tuners for receiving digital broadcasting and analog tuners for receiving analog broadcasting (**fig. 1-2, col. 4, lines 13-30**); and an analog video signal and an analog audio signal which are outputted for the analog tuner are encoded after being respectively converted into digital signals and, and are further multiplexed to be converted into an AV stream, which is then inputted to the selection circuit (**fig. 1-2, col. 4, lines 31-65**). Motivation to combine the references is found in the fact that both systems employ a similar master and servant system to utilize cost saving functionality. The invention would have been obvious to one of ordinary skill in the art at the time of the invention.

10. Regarding claim 5, Miura discloses a television system characterized in that the switch is so controlled that when the receiving signal for broadcasting on the main television set selected by the selection circuit is the AV stream generated on the basis of the output of the analog tuner, the video signal and audio signal which are outputted

from the analog tuner and have not been encoded are selected (**fig. 1-2, col. 6, lines 1-43**); and the switch is so controlled that when the receiving signal for broadcasting on the main television set selected by the selection circuit is an AV stream outputted from the digital tuner, the video signal and the audio signal which are generated by the first signal processing circuit are selected (**fig. 1-2, col. 6, lines 1-43**). However Miura fails to disclose the switch for selecting. Calderone discloses a system in that there is provided a switch for selecting either the video signal and the audio signal which are generated by the first signal processing circuit or the video signal and the audio signal which are outputted from the analog tuner and have not been encoded and outputting the selected video signal and audio signal (**fig. 1-2, col. 4, lines 13-30**). Motivation to combine the references is found in the fact that both systems employ a similar master and servant system to utilize cost saving functionality. The invention would have been obvious to one of ordinary skill in the art at the time of the invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHARLES N. HICKS whose telephone number is (571)270-3010. The examiner can normally be reached on M-F 7:30AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art
Unit 2623

CNH